

## **Rule 951. Authority of the State Bar Court**

### **(a) [Conviction Proceedings]**

The State Bar Court shall exercise statutory powers pursuant to Business and Professions Code sections 6101 and 6102 with respect to the discipline of attorneys convicted of crimes. (See Bus. & Prof. Code section 6087.) For purposes of this rule, a judgment of conviction is deemed final when the availability of appeal has been exhausted and the time for filing a petition for certiorari in the United States Supreme Court on direct review of the judgment of conviction has elapsed and no petition has been filed, or if filed the petition has been denied or the judgment of conviction has been affirmed. The State Bar Court shall impose or recommend discipline in conviction matters as in other disciplinary proceedings. The power conferred upon the State Bar Court by this rule includes, but is not limited to, the power to place attorneys on interim suspension as authorized by subdivisions (a) and (b) of section 6102, and the power to vacate, delay the effective date of, and temporarily stay the effect of such orders.

### **(b) [Professional Responsibility Examination]**

The State Bar Court shall have the power to extend the time within which a member of the State Bar must take and pass a professional responsibility examination, to suspend a member for failing to take and pass such examination, and to vacate a member's suspension for failing to take and pass such examination.

### **(c) [Probation]**

The State Bar Court shall have the power, for good cause, to approve stipulations between the member and the Chief Trial Counsel for modification of the terms of a member's probation and to make corrections and minor modifications to the terms of a member's disciplinary probation. The order of the State Bar Court shall be filed promptly with the Clerk of the Supreme Court.

### **(d) [Rule 955 Compliance]**

The State Bar Court shall have the power, for good cause, to extend the time within which a member must comply with the provisions of California Rules of Court, rule 955.

### **(e) [Commencement of Suspension]**

The State Bar Court shall have the power, for good cause, to delay temporarily the effective date of, or temporarily stay the effect of, an order for a member's disciplinary suspension from practice.

### **(f) [Readmission and Reinstatement]**

Applications for readmission or reinstatement shall, in the first instance, be filed and heard by the State Bar Court. Applicants for readmission or reinstatement shall (1) pass a professional responsibility examination, (2) establish their rehabilitation and present moral qualifications for readmission, and (3) establish present ability and learning in the general law. The State Bar may require applicants who fail to make the affirmative showing of sufficient present learning in the general law to demonstrate such learning by passing one of the General Examinations required of applicants for admission.

### **(g) [Inherent Power of Supreme Court]**

Nothing in these rules shall be construed as affecting the power of the Supreme Court to exercise its inherent jurisdiction over the lawyer discipline and admissions system. (Adopted, effective December 1, 1990. Amended, effective April 1, 1996.)